



RECEIVED

October 5, 2009

OCT 14 2009

Clerk, United States District Court  
Honorable Katherine S. Hayden  
Judge, U.S. District Court  
King Federal Courthouse Bldg.  
50 Walnut Street  
Newark, NJ 07102

AT 8:30 \_\_\_\_\_M  
WILLIAM T. WALSH, CLERK

RE: Garnishment – Steven Smith  
CR No. 00-760

Dear Honorable Katherine S. Hayden:

This is in response to the recent Notice of Garnishment received on behalf of Lord & Taylor, regarding former associate Steven Smith. This is to verify that Steven Smith was in our employ from November 11, 2008 thru December 28, 2008 and held a position as a Temporary associate. Enclosed are his earnings for that time period.

Should there be any additional further information required, please contact me.  
Thank you.

Sincerely,



Diana Hoover  
Legal Administrator  
Lord & Taylor LLC

CC: Kelly C. Parker-Battle – Financial Specialist  
Steven Smith

EARNINGS HISTORY REPORT - P1R72M  
LT ST 0000428817

LORD & TAYLOR

PAGE 7  
RUN DATE 10/05/2009

EMPLOYEE NAME		EARNINGS		FEDERAL		TAXES		CITY/COUNTY		DED/NET/CK AMT	
L3	TYPE	HOURS				STATE					
SMITH, STEVEN											
0030	0952 8101	.00 REG	.00 REG	.00 FIT	.78 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
	C-1	.00 OT	.00 OT	4.43 SS	.00 SDI	.00 CITY	64.94 NETPAY	.00 CITY	64.94 NETPAY	.00 CITY	64.94 NETPAY
4494472	11-15-2008	10.00 OTH	71.50 OTH	1.04 MED	.31 SUI	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE
		10.00 TOT	71.50 TOT	5.47 TOT	1.09 TOT	.00 TOT		.00 TOT		.00 TOT	
0030	0952 8101	.00 REG	.00 REG	.00 FIT	.00 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
	C-1	.00 OT	.00 OT	.00 SS	.00 SDI	.00 CITY	.00 NETPAY	.00 CITY	.00 NETPAY	.00 CITY	.00 NETPAY
11-22-2008		.00 OTH	.00 OTH	.00 MED	.00 SUI	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE
		.00 TOT	.00 TOT	.00 TOT	.00 TOT	.00 TOT		.00 TOT		.00 TOT	
0030	0952 8101	.00 REG	.00 REG	.00 FIT	.00 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
	C-1	.00 OT	.00 OT	.00 SS	.00 SDI	.00 CITY	.00 NETPAY	.00 CITY	.00 NETPAY	.00 CITY	.00 NETPAY
11-29-2008		.00 OTH	.00 OTH	.00 MED	.00 SUI	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE
		.00 TOT	.00 TOT	.00 TOT	.00 TOT	.00 TOT		.00 TOT		.00 TOT	
0030	0952 8101	.00 REG	.00 REG	.00 FIT	.00 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
	C-1	.00 OT	.00 OT	.00 SS	.00 SDI	.00 CITY	.00 NETPAY	.00 CITY	.00 NETPAY	.00 CITY	.00 NETPAY
12-06-2008		.00 OTH	.00 OTH	.00 MED	.00 SUI	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE
		.00 TOT	.00 TOT	.00 TOT	.00 TOT	.00 TOT		.00 TOT		.00 TOT	
0030	0952 8101	7.60 REG	58.90 REG	.00 FIT	.59 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
	C-1	.00 OT	.00 OT	3.65 SS	.29 SDI	.00 CITY	53.27 NETPAY	.00 CITY	53.27 NETPAY	.00 CITY	53.27 NETPAY
4515834	12-13-2008	.00 OTH	.00 OTH	.85 MED	.25 SUI	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE
		7.60 TOT	58.90 TOT	4.50 TOT	1.13 TOT	.00 TOT		.00 TOT		.00 TOT	
0030	0952 8101	23.50 REG	182.13 REG	6.38 FIT	2.44 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
	C-1	.00 OT	.00 OT	11.30 SS	.91 SDI	.00 CITY	157.58 NETPAY	.00 CITY	157.58 NETPAY	.00 CITY	157.58 NETPAY
4522193	12-20-2008	.00 OTH	.00 OTH	2.64 MED	.78 SUI	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE	.00 TOT	7.7500 RATE
		23.50 TOT	182.13 TOT	20.32 TOT	4.13 TOT	.00 TOT		.00 TOT		.00 TOT	
NET		31.10 REG	241.03 REG	6.38 FIT	3.81 SIT	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED	.00 CNTY	.00 TOTDED
		.00 OT	.00 OT	19.38 SS	1.20 SDI	.00 CITY	275.89 NETPAY	.00 CITY	275.89 NETPAY	.00 CITY	275.89 NETPAY
		10.00 OTH	71.50 OTH	4.53 MED	1.34 SUI	.00 TOT		.00 TOT		.00 TOT	
		41.10 TOT	312.53 TOT	30.29 TOT	6.35 TOT	.00 TOT		.00 TOT		.00 TOT	

RALPH J. MARRA, JR.  
Acting United States Attorney  
LEAH A. BYNON  
Assistant U.S. Attorney  
970 Broad Street, Room 700  
Newark, NJ 07102  
(973)645-2736  
LAB0321  
FLU:KCPB

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

v.

**STEVEN SMITH,**

*Defendant,*

and

**LORD & TAYLOR,  
and its successors or assigns,**

*Garnishee.*

**Hon. Katharine S. Hayden**

**CR No. 00-760**

**ANSWER OF THE GARNISHEE**

Diana Hoover, BEING DULY SWORN DEPOSES AND SAYS:  
(Affiant)

IF GARNISHEE IS AN INDIVIDUAL:

That he/she is Garnishee herein doing business in the name of:

Lord & Taylor, 250 Highland Park Blvd., Wilkes-Barre, PA 18702  
(State full name and address of business)

## IF GARNISHEE IS A PARTNERSHIP:

That he/she is a member \_\_\_\_\_ of a partnership composed of which  
Garnishee is a partner.

## IF GARNISHEE IS A CORPORATION:

That he/she is the (State Official Title) <sup>Legal</sup> Admin. of Garnishee, Lord & Taylor LLC  
corporation, organized under the laws of the State of DE.

On Oct 1, 2009, Garnishee received the Writ of Continuing Garnishment by Federal Express Mail. The Garnishee was informed of its right to have the Writ served by the United States Marshal. The Garnishee expressly waives service of the Writ of Continuing Garnishment by United States Marshal and accepts service of the Writ of Continuing Garnishment by Federal Express Mail. For the pay period in effect on the date of service (shown above)

Yes No

- X 1. Defendant was in my/our employ. *Employment dates:*
2. Pay period is X weekly, \_\_\_ bi-weekly *11/11/08 - 12/28/08*  
\_\_\_ semi-monthly, \_\_\_ monthly. *Associate no longer*  
Enter date present pay period began. *employed at L&T.*
- (Present means the pay period in which  
this order and notice of garnishment were  
served) \_\_\_\_\_
- Enter date above pay period ends.
3. Enter amount of net wages. Calculate below:
- (a) Gross Pay \$ \_\_\_\_\_
- (b) Federal income tax \$ \_\_\_\_\_

© F.I.C.A. income tax \$ \_\_\_\_\_

(d) State income tax \$ \_\_\_\_\_

(e) City/Local Income Tax \$ \_\_\_\_\_

Total of tax withholdings \$ \_\_\_\_\_

Net Wages \$ \_\_\_\_\_

(a less total of b,c,d)

Yes No

— X 4. Are there garnishments already in effect? If the answers is yes, describe below.

\_\_\_\_\_

\_\_\_\_\_

5. The Garnishee has custody, control or possession of the following property (non-earnings), in which the Debtor maintains an interest, as described below:

	<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

Garnishee anticipates owing to the judgment-debtor in the future, the following amounts:

	<u>Amount</u>	<u>Estimate date or Period Due</u>
1.	\$ _____	_____

2. \$ \_\_\_\_\_
3. \$ \_\_\_\_\_

(Check the applicable line below if you deny that you hold property subject to this order of garnishment.)

\_\_\_ [The Garnishee makes the following claim of exemption on the part of Defendant:]

\_\_\_ [Or has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Defendant upon Plaintiff's claim:]

X [The Garnishee was then in no manner and upon no account indebted or under liability to the Defendant, Steven Smith, and that the Garnishee did not have in his/her possession or control any property belonging to the Defendant, or in which the Garnishee has an interest; and is in no manner liable as Garnishee in this action.]

The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor, Steven Smith , at (debtor's address):

293 North Oraton Parkway  
Apt. 14  
East Orange, NJ

and (2) the Acting United States Attorney of the District of New Jersey, 970 Broad Street, 7th Floor, Newark, NJ 07102, Attn: Kelly C. Parker-Battle, Financial Specialist.

*Jaime Hoover* L+T  
Garnishee

Subscribed and sworn to before me this

5 day of October 2009.

*Catherine E. Stefanowicz*

Notary Public  
(Seal)

COMMONWEALTH OF PENNSYLVANIA

My Comm. Expires March 18, 2013  
Member, Pennsylvania Association of Notaries

March 19, 2013